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**U.S. Department of the Interior
Bureau of Land Management
Kremmling Field Office
P.O. Box 68
Kremmling, CO 80459**

DOCUMENTATION OF LAND USE PLAN CONFORMANCE AND NEPA ADEQUACY

NUMBER: DOI-BLM-CO-120-2009-0005-DNA

PROJECT NAME: February 2009 Oil and Gas Lease Sale

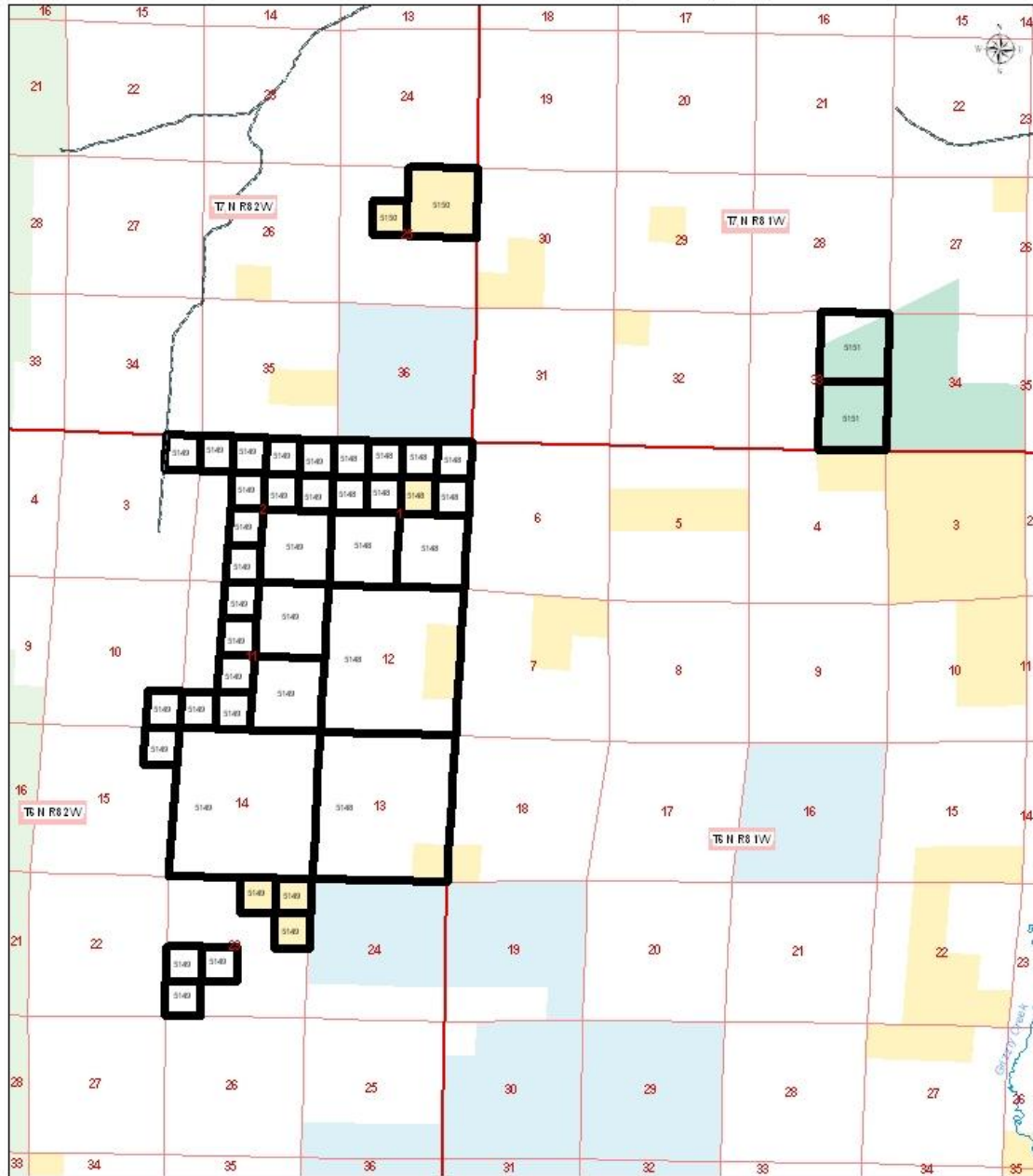
LEGAL DESCRIPTION: See Attached #1 for Parcel Descriptions

APPLICANT: Bureau of Land Management, Kremmling Field Office

DESCRIPTION OF PROPOSED ACTION: The proposal is to offer for lease 6 parcels, totaling approximately 5,200 acres of federal minerals, for potential oil and gas exploration and production, located in Jackson County, Colorado. There are approximately 920 acres of BLM-owned surface and minerals, 3,960 acres of private owned surface with federal minerals, and 320 acres of Fish and Wildlife surface with federal minerals.

Attachment #1 includes legal descriptions of Pre-DNA parcels proposed for lease, attachment # 2 contains deferred parcels, and attachment #3 contains parcels available for lease with applied stipulations.

Oil and Gas Lease Sale February 2009 (pg. 1)



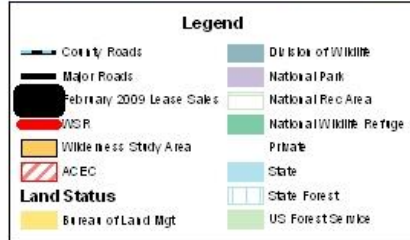
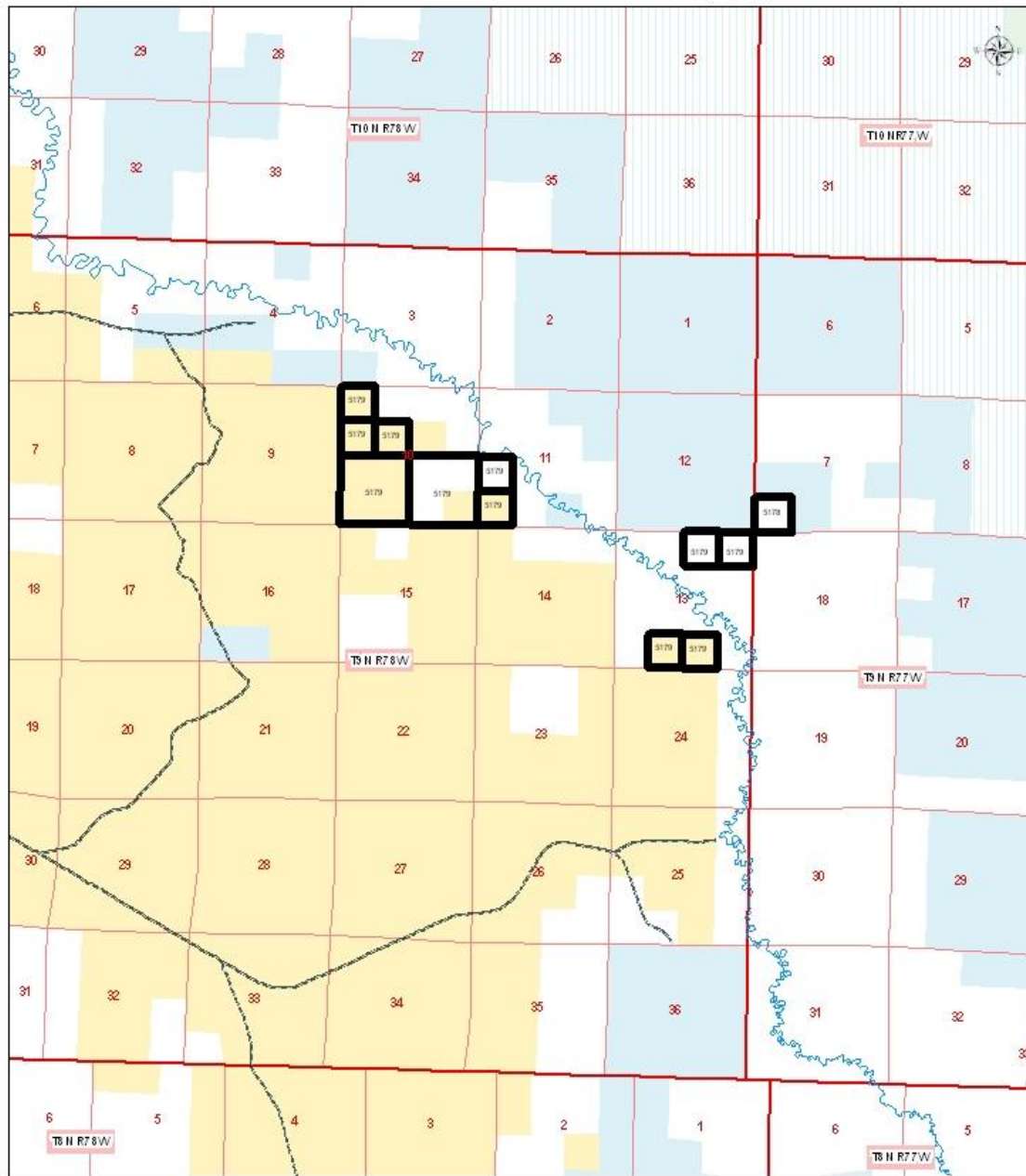
0 0.35 0.7 1.4 Miles

1:62,671



NO WARRANTY IS MADE BY THE BLM FOR USE OF THE DATA FOR PURPOSES NOT INTENDED BY BLM.

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0 0.35 0.7 1.4 Miles

1:62,671



NO WARRANTY IS MADE BY THE BLM FOR USE OF THE DATA FOR PURPOSES NOT INTENDED BY BLM.

LAND USE PLAN (LUP) CONFORMANCE REVIEW: The Proposed Action is subject to the following plan:

Name of Plan: Kremmling Resource Management Plan (RMP), Record of Decision (ROD)

Date Approved: December 19, 1984; Updated February 1999

X The Proposed Action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decisions (objectives, terms, and conditions):

Decision Language: "Federal mineral estates will remain open to oil & gas leasing under the Mineral Leasing Act of 1920 except for 1,351 acres which are withdrawn. Some lands are specifically encumbered with surface use restrictions."

REVIEW OF EXISTING NEPA DOCUMENTS:

List by name and date all existing NEPA documents that cover the Proposed Action.

LUP: Kremmling Resource Area, Resource Management Plan(RMP)/EIS and Record of Decision (ROD)

Date Approved: December 19, 1984

LUP Amendment: Colorado Oil and Gas Leasing & Development Final EIS/Plan Amendment/Kremmling RMP/ROD

Date Approved: November 5, 1991

NEPA Adequacy Criteria

1. Is the Proposed Action substantially the same action and at the site specifically analyzed in an existing document?

Yes, the lands involved in this lease offering were analyzed in the *Colorado Oil and Gas Leasing & Development Final EIS Plan Amendment* (Oil and Gas Leasing EIS) and *Kremmling Resource Management Plan*, and decisions were made to make the lands available for lease. The action in this DNA is the same as proposed in the RMP and RMP Amendment. The RMP decisions were to make Federal oil and gas resources available for leasing with standard stipulations or, where necessary, special stipulations.

According to the Tenth Circuit Court of Appeals, site specific NEPA analysis is not possible absent concrete proposals. Filing of an Application for Permit to Drill is the first useful point at which a site specific environmental appraisal can be undertaken. (Park County Resource Council, Inc. v. U.S. Department of Agriculture, 10th Cir., April 17, 1987). In addition, the Interior Board of Land Appeals has decided that BLM is not required to undertake a site-specific environmental review prior to issuing an oil and gas lease when it previously analyzed the environmental consequences of leasing the land.... (Colorado Environmental Coalition Et AL., IBLA 96-243, decided June 10, 1999).

2. Was a reasonable range of alternatives to the Proposed Action analyzed in the existing NEPA document(s), and does that range and analysis appropriately consider current environmental concerns, interests, and resource values?

Yes, the alternatives analyzed in the 1984 RMP and 1991 RMP Amendment included a broad range of alternatives which, in our judgment, adequately address current environmental concerns, interests, and resource values.

3. Does the information or circumstances upon which the existing NEPA document(s) are based remain valid and germane to the Proposed Action? Is the analysis still valid in light of new studies or resource assessment information?

There is new information and circumstances which the existing NEPA documents (i.e. RMP/EIS and Oil and Gas (O&G) Leasing and Development EIS) did not adequately analyze.

The BLM has begun developing management alternatives to amend the 1984 Kremmling Resource Management Plan (RMP). The management alternatives will analyze impacts to wildlife, including sage-grouse. The BLM is aware of recent information discussing the effectiveness of sage-grouse habitat protection and mitigation measures. The BLM also received recommendations from the Colorado Division of Wildlife (CDOW) regarding sage-grouse habitat protection. As a result, the BLM is deferring portions of specific parcels within sage-grouse habitat. As BLM develops management alternatives, further consultation will be needed with stakeholders and other agencies (i.e. CDOW) to ensure consistency, analyze future management options, and ensure the effectiveness of mitigation measures (See Attachment #2 for deferred parcels).

The BLM also received recommendations from the U.S. Fish and Wildlife Service, Arapaho National Refuge, regarding a parcel located within their refuge boundary. As a result, the BLM is deferring this parcel (see Attachment #2).

Based upon a review of new information regarding riparian and wetland values, Controlled Surface Use Stipulation [CO-28] for the protection of perennial water impoundments and streams, and/or riparian/wetland vegetation zones was added to specific parcels. The analysis contained in the Oil and Gas Leasing EIS provided an exception which allowed these stipulations to be added (see Attachment #3).

4. Does the methodology and analytical approach used in the existing NEPA document(s) continue to be appropriate for the Proposed Action?

Yes, the methodology and analytical approach used in the Kremmling RMP and associated documents are appropriate. The use of new methodologies or approaches would result in the same impact conclusion and leasing decisions.

5. Are the direct and indirect impacts that would result from implementation of the Proposed Action unchanged from those analyzed in the existing NEPA document?

Yes, the direct and indirect impacts of the current proposed action are substantially unchanged from those identified in the Kremmling RMP and associated documents.

(See also 1. above.)

6. Are the cumulative impacts that would result from implementation of the Proposed Action unchanged from those analyzed in the existing NEPA document(s)?

Yes, the cumulative impacts remain substantially unchanged from those described in the Kremmling RMP and associated documents. Implementing the Proposed Action would not substantially change the cumulative impact analysis.

7. Is the public involvement and interagency review associated with the existing NEPA document(s) adequate for the Proposed Action?

Yes, the Kremmling RMP and associated documents were scrutinized by the public and other agencies. There have been no additional issues or concerns presented in the vicinity of most parcels since 1991 that would warrant reconsideration of leasing decisions, except those parcels the BLM is deferring.

REMARKS:

Cultural Resources: Site specific surveys, evaluation and mitigation would be completed prior to the issuance of any permit in accordance with the National Historic Preservation Act of 1966 as amended and its implementing regulations.

Native American Religious Concerns: Tribal consultation was initiated on October 23, 2008, on the Proposed Action. Additional tribal consultation would occur for site specific consultation prior to the issuance of any permit action.

Paleontology: The lease area may contain important fossil resources. An inventory of fossil resources in Class I and II paleontological areas would be performed by an accredited paleontologist prior to the issuance of permit.

Threatened and Endangered Species: No threatened or endangered species habitat is known to occur in the areas proposed for leasing and no threatened or endangered species are expected to be impacted by the Proposed Action.

INTERDISCIPLINARY REVIEW:

Name	Title	Area of Responsibility	Date Review Completed
Joe Stout	Planning & Environmental Coord.	NEPA	11/5/08
Paula Belcher	Hydrologist	Soil, Air & Water	10/29/08
Megan McGuire	Wildlife Biologist	T&E, Wildlife	10/27/08
John Monkouski	Outdoor Recreation Planner	GIS	10/31/08
Bill B. Wyatt	Archaeologist	Cultural Resources and Native American Consultation	11/4/08
Frank Rupp	Archaeologist	Paleontology	11/03/08

PERSONS / AGENCIES CONSULTED: The Kremmling Field Office sent letters to the following agencies: Colorado Division of Wildlife, U.S. Fish and Wildlife Service (USFWS), and Jackson County. CDOW responded in writing regarding concerns with greater sage-grouse, big game, and other species of concern. The USFWS responded with a phone call requesting deferment of the parcel within the refuge boundary.

NAME OF PREPARER: Susan Cassel

NAME OF ENVIRONMENTAL COORDINATOR: Joe Stout

DATE: 11/5/08

ATTACHMENTS:

- 1). Pre-DNA Parcels Proposed for Lease
- 2). Deferred Parcels
- 3). Parcels Available for Lease with Applied Stipulations

CONCLUSION

DOI-BLM-CO-120-2009-0005-DNA

Based on the review documented above, I conclude that this proposal conforms to the land use plan and that the NEPA documentation previously prepared fully covers the Proposed Action and constitutes BLM's compliance with the requirements of NEPA.

SIGNATURE OF RESPONSIBLE OFFICIAL: /s/ Peter McFadden

DATE SIGNED: 11/12/2008

Note: The signed Conclusion on this worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision.

ATTACHMENT 1
Pre-DNA Parcels Proposed for Lease
February 2009 – Colorado Competitive Oil & Gas Lease Sale

PARCEL ID: 5178 SERIAL #:

T. 0090N., R 0770W., 6TH PM
Sec. 7: Lot 4;

Jackson County
Colorado 39.720 Acres

All lands are subject to Exhibit CO-09 to protect big game winter habitat.

All lands are subject to Exhibit CO-34 to alert lessee of potential habitat for a threatened, endangered, candidate, or other special status plant or animal.

All lands are subject to Exhibit CO-39 to protect cultural resources.

PVT/BLM; CDO: KRA

PARCEL ID: 5179 SERIAL #:

T. 0090N., R 0780W., 6TH PM
Sec. 10: W2NW,SESW,S2;
Sec. 11: W2SW;
Sec. 13: N2NE,SESW,SWSE;

Jackson County
Colorado 680.000 Acres

The following lands are subject to Exhibit CO-09 to protect big game winter habitat:

T. 0090N., R 0780W., 6TH PM
Sec. 10: W2W2;
Sec. 13: N2NE;

The following lands are subject to Exhibit CO-15 to protect grouse winter habitat:

T. 0090N., R 0780W., 6TH PM
Sec. 10: SWSW;

The following lands are subject to Exhibit CO-28 to protect riparian/wetland vegetation:

T. 0090N., R 0780W., 6TH PM
Sec. 11: SWSW;
Sec. 13: SWSE;

The following lands are subject to Exhibit CO-30 to alert lessee of closure period for nesting sage grouse:

T. 0090N., R 0780W., 6TH PM
Sec. 10: SWNW,W2SW;

Sec. 13: SESW;

All lands are subject to Exhibit CO-34 to alert lessee of potential habitat for a threatened, endangered, candidate, or other special status plant or animal.

All lands are subject to Exhibit CO-39 to protect cultural resources.

PVT/BLM; CDO: KRA

PARCEL ID: 5151 SERIAL #:

T. 0070N., R 0810W., 6TH PM
Sec. 33: E2;

Jackson County
Colorado 320.000 Acres

The following lands are subject to Exhibit CO-01 to protect the integrity of existing coal mine operations:

T. 0070N., R 0810W., 6TH PM
Sec. 33: NE;

All lands are subject to Exhibit CO-09 to protect big game winter habitat.

All lands are subject to Exhibit CO-10 to protect elk calving.

All lands are subject to Exhibit CO-34 to alert lessee of potential habitat for a threatened, endangered, candidate, or other special status plant or animal.

All lands are subject to Exhibit CO-39 to protect cultural resources.

PVT/BLM; CDO: KRA

PARCEL ID: 5148 SERIAL #:

T. 0060N., R 0820W., 6TH PM
Sec. 1: Lot 1-4;
Sec. 1: S2N2,S2;
Sec. 12: ALL;
Sec. 13: ALL;

Jackson County
Colorado 1921.600 Acres

The following lands are subject to Exhibit CO-09 to protect big game winter habitat:

T. 0060N., R 0820W., 6TH PM
Sec. 12: E2SE;
Sec. 13: E2E2;

The following lands are subject to Exhibit CO-10 to protect elk calving:

T. 0060N., R 0820W., 6TH PM
Sec. 1: Lot 1-4;

Sec. 1: S2N2,S2;
Sec. 12: N2,SW,N2SE,SWSE;

All lands are subject to Exhibit CO-34 to alert lessee of potential habitat for a threatened, endangered, candidate, or other special status plant or animal.

All lands are subject to Exhibit CO-39 to protect cultural resources.

PVT/BLM; CDO: KRA

PARCEL ID: 5149 SERIAL #:

T. 0060N., R 0820W., 6TH PM
Sec. 2: Lot 1-4;
Sec. 2: S2NE,SENE,E2SW,SE;
Sec. 3: Lot 1;
Sec. 10: SESE;
Sec. 11: E2,E2W2,SWSW;
Sec. 14: ALL;
Sec. 15: NENE;
Sec. 23: N2NE,SENE,N2SW,SWSW;

Jackson County
Colorado 2039.090 Acres

The following lands are subject to Exhibit CO-10 to protect elk calving:

T. 0060N., R 0820W., 6TH PM
Sec. 2: Lot 1-4;
Sec. 2: S2NE,SENE,E2SW,SE;
Sec. 3: Lot 1;
Sec. 10: SESE;
Sec. 11: E2,E2W2,SWSW;
Sec. 14: ALL;
Sec. 15: NENE;
Sec. 23: E2NE,NESW,SWSW;

The following lands are subject to Exhibit CO-16 to protect greater sandhill crane nesting and staging habitat:

T. 0060N., R 0820W., 6TH PM
Sec. 3: Lot 1;
Sec. 10: SESE;
Sec. 11: NESW,S2SW;
Sec. 14: W2;
Sec. 15: NENE;
Sec. 23: NESW,SWSW;

The following lands are subject to Exhibit CO-28 to protect riparian/wetland vegetation:

T. 0060N., R 0820W., 6TH PM
Sec. 15: NENE;
Sec. 23: E2NE;

All lands are subject to Exhibit CO-34 to alert lessee of potential habitat for a threatened, endangered, candidate, or other special status plant or animal.

All lands are subject to Exhibit CO-39 to protect cultural resources.

PVT/BLM; CDO: KRA

PARCEL ID: 5150 SERIAL #:

T. 0070N., R 0820W., 6TH PM
Sec. 25: NE,SE,NW;

Jackson County
Colorado 200.000 Acres

All lands are subject to Exhibit CO-10 to protect elk calving.

The following lands are subject to Exhibit CO-28 to protect riparian/wetland vegetation:

T. 0070N., R 0820W., 6TH PM
Sec. 25: NWNE,SENE;

The following lands are subject to Exhibit CO-30 to alert lessee of closure period for nesting sage grouse:

T. 0070N., R 0820W., 6TH PM
Sec. 25: E2NE

All lands are subject to Exhibit CO-34 to alert lessee of potential habitat for a threatened, endangered, candidate, or other special status plant or animal.

All lands are subject to Exhibit CO-39 to protect cultural resources.

BLM; CDO: KRA

ATTACHMENT 2
Parcels Deferred
February 2009 – Colorado Competitive Oil & Gas Lease Sale

PARCEL ID: 5178 SERIAL #: DEFER ALL (Sage-grouse Core Area)

T. 0090N., R 0770W., 6TH PM
Sec. 7: Lot 4;
Jackson County
Colorado 39.720 Acres

PVT/BLM; CDO: KRA

PARCEL ID: 5179 SERIAL #: DEFER ALL (Sage-grouse Core Area)

T. 0090N., R 0780W., 6TH PM
Sec. 10: W2NW,SENW,S2;
Sec. 11: W2SW;
Sec. 13: N2NE,SESW,SWSE;
Jackson County
Colorado 680.000 Acres

PVT/BLM; CDO: KRA

PARCEL ID: 5151 SERIAL #: (U.S. Fish and Wildlife Service Land, Arapaho National Refuge)

T. 0070N., R 0810W., 6TH PM
Sec. 33: E2;

Jackson County
Colorado 320.000 Acres

PVT/BLM; CDO: KRA

ATTACHMENT 3
Parcels Available for Lease with Applied Stipulations
February 2009 – Colorado Competitive Oil & Gas Lease Sale

PARCEL ID: 5148 SERIAL #:

T. 0060N., R 0820W., 6TH PM

Sec. 1: Lot 1-4;

Sec. 1: S2N2,S2;

Sec. 12: ALL;

Sec. 13: ALL;

Jackson County

Colorado 1921.600 Acres

The following lands are subject to Exhibit CO-09 to protect big game winter habitat:

T. 0060N., R 0820W., 6TH PM

~~Sec. 12: E2SE;~~

~~Sec. 13: E2E2;~~

Sec. 1: Lot 1-4;

Sec. 1: SWNW;

The following lands are subject to Exhibit CO-10 to protect elk calving:

T. 0060N., R 0820W., 6TH PM

Sec. 1: Lot 1-4;

Sec. 1: S2N2,S2;

Sec. 12: N2,SW,N2SE,SWSE;

The following lands are subject to Exhibit CO-28 to protect riparian/wetland vegetation:

T. 0060N., R 0820W., 6TH PM

Sec 1: Lot 1,3;

Sec. 1: SENE,SWNW,SESW,NWSE;

Sec. 12: S2NE;

Sec. 13: NENE,SWNE,SENW,W2SW;

The following lands are subject to Exhibit CO-29 to protect steep slopes:

T. 0060N., R 0820W., 6TH PM

Sec. 1: Lot 1;

Sec. 1: SENE,SWNW,N2SE;

Sec. 12: NWSW,SENW,N2NW,NWNE;

All lands are subject to Exhibit CO-34 to alert lessee of potential habitat for a threatened, endangered, candidate, or other special status plant or animal.

All lands are subject to Exhibit CO-39 to protect cultural resources.

PVT/BLM; CDO: KRA

PARCEL ID: 5149 SERIAL #:

T. 0060N., R 0820W., 6TH PM

Sec. 2: Lot 1-4;
Sec. 2: S2NE,SENE,E2SW,SE;
Sec. 3: Lot 1;
Sec. 10: SESE;
Sec. 11: E2,E2W2,SWSW;
Sec. 14: ALL;
Sec. 15: NENE;
Sec. 23: N2NE,SENE,N2SW,SWSW;

Jackson County

Colorado 2039.090 Acres

The following lands are subject to Exhibit CO-09 to protect big game winter habitat:

T. 0060N., R 0820W., 6TH PM

Sec. 2: Lot 1-4;
Sec. 2: S2NE,SENE,E2SW,W2SE;
Sec. 3: Lot 1;
Sec. 11: NENW;

The following lands are subject to Exhibit CO-10 to protect elk calving:

T. 0060N., R 0820W., 6TH PM

Sec. 2: Lot 1-4;
Sec. 2: S2NE,SENE,E2SW,SE;
~~Sec. 3: Lot 1;~~
Sec. 10: SESE;
Sec. 11: E2,E2W2,SWSW;
Sec. 14: ALL;
Sec. 15: NENE;
Sec. 23: E2NE,NESW, N2NE,SENE,N2SW,SWSW;

The following lands are subject to Exhibit CO-16 to protect greater sandhill crane nesting and staging habitat:

T. 0060N., R 0820W., 6TH PM

Sec. 3: Lot 1;
Sec. 10: SESE;
Sec. 11: NESW,S2SW;
Sec. 14: W2;
Sec. 15: NENE;
Sec. 23: NESW,SWSW;

The following lands are subject to Exhibit CO-28 to protect riparian/wetland vegetation:

T. 0060N., R 0820W., 6TH PM

Sec 2: Lot 2;
Sec. 2: SENW,SWSE;
Sec. 3: Lot 1;
Sec. 11: NENE,SENE,SWSW;
Sec. 14: SENE,W2NW,SESW,SWSE;
Sec. 15: NENE;
Sec. 23: E2NE, NWNE,W2SW;

The following lands are subject to Exhibit CO-29 to protect steep slopes:

T. 0060N., R 0820W., 6TH PM

Sec 2: Lot1,2

Sec. 2: SWNE,NESE,S2SE;

Sec. 11: E2NE,E2NW,E2SW,N2SE,E2NE;

All lands are subject to Exhibit CO-34 to alert lessee of potential habitat for a threatened, endangered, candidate, or other special status plant or animal.

All lands are subject to Exhibit CO-39 to protect cultural resources.

PVT/BLM; CDO: KRA

PARCEL ID: 5150 SERIAL #:

T. 0070N., R 0820W., 6TH PM

Sec. 25: NE,SE,NW;

Jackson County

Colorado 200.000 Acres

All lands are subject to Exhibit CO-09 to protect big game winter habitat.

All lands are subject to Exhibit CO-10 to protect elk calving.

The following lands are subject to Exhibit CO-28 to protect riparian/wetland vegetation:

T. 0070N., R 0820W., 6TH PM

Sec. 25: NENE,NWNE,SENE;

The following lands are subject to Exhibit CO-29 to protect steep slopes:

T. 0070N., R 0820W., 6TH PM

Sec. 25: NWNE;

All lands are subject to Exhibit CO-34 to alert lessee of potential habitat for a threatened, endangered, candidate, or other special status plant or animal.

All lands are subject to Exhibit CO-39 to protect cultural resources.

BLM; CDO: KRA